

REMARKS**Amendments to the Specification**

Claim 34 has been amended to direct specifically to a method of treating a subject with multi-drug resistant leukemia. Claim 35 has been amended to direct specifically to a method of treating a human subject with leukemia.

New Claims 51-57 have been added. Support for new Claims 51, 53 and 55 can be found throughout the specification, for example, at page 31, lines 13-15 and page 33, lines 5-8. New Claims 52 and 54 have been added to resubmit canceled subject matter of Claim 34. Further support for new Claims 52 and 54 can be found throughout the specification, for example, at page 2, lines 12-14; page 21, line 10; and page 22, lines 10 and 14-15. New Claims 56 and 57 have been added to resubmit the canceled subject matter of Claim 35. Further support for the new Claims 56 and 57 can be found throughout the specification, for example, at page 2, lines 12-14, page 21, line 10, page 22, line 10 and page 31, lines 13-15.

No new matter has been added.

Rejection of Claims 13-14 and 30-31 under 35 U.S.C. §112, first paragraph

Claims 13-14 and 30-31 have been canceled, thereby obviating the rejection.

Double Patenting

Claims 8-14, 16-17, 25-31, 33-35, 37, 39, 43, 46-47 and 50 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 24-29 and 32-34 of U.S. Patent No. 7,385,084.

Enclosed herewith is a Terminal Disclaimer disclaiming, except as provided therein, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 7,385,084. Also enclosed herewith is a Statement Under 37 C.F.R. § 3.73(b), which is executed by Wendy Rieder, General Counsel and Vice President for Synta Pharmaceuticals Corp., assignee of the subject application, who also executed the Terminal Disclaimer.

In view of the filing of the enclosed Terminal Disclaimer and Statement Under 37 C.F.R. § 3.73(b), the rejection of Claims 8-14, 16-17, 25-31, 33-35, 37, 39, 43, 46-47 and 50 under the ground of nonstatutory obviousness-type double patenting has been obviated.

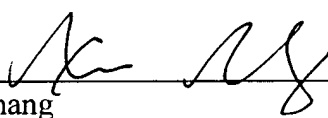
CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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